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PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD	1923-1968
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February 9, 2004

**FACSIMILE COVER SHEET**

To: Commissioner for Patents ATTN:  
 Dameron Jones

From: Beverly A. Lyman, Ph.D.

Fax: 703 872 9306

Re: Our File: MRD-74  
 Serial No. 09/981,206

Pages: 13 (including cover sheet)

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**MESSAGE/COMMENTS****OFFICIAL FILING**

Please file the attached Duplicate Supplemental Amendment and forward to Examiner  
 Dameron Jones. Thank you.

Duplicate Supplemental Amendment - 9 pg  
 Attachment - 3 pg.

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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Dameron L. Jones whose telephone number is (571) 272-0617 and fax number is (703) 872-9306 on February 9, 2004.

  
Jane A. WalkerFebruary 9, 2004  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 09 2004

Applicant(s): Achilefu et al.  
Serial No.: 09/981,206  
Filed: October 17, 2001  
Group Art Unit: 1616  
Confirmation No.: 5790  
Examiner: Jones, Dameron L.  
Title: CARBOCYANINE DYES FOR TANDEM, PHOTODIAGNOSTIC  
AND THERAPEUTIC APPLICATIONS  
Atty. Doc. No.: MRD-74

Cincinnati, OH 45202

February 9, 2004

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DUPLICATE SUPPLEMENTAL AMENDMENT**

Pursuant to the request of the Examiner, this Duplicate Supplemental Amendment is submitted. Further to the Amendment mailed October 7, 2003, responsive to the Office Action mailed July 8, 2003 in the above-referenced application, applicants respond as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**R marks/Arguments** begin on page 8 of this paper.

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